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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/774,706	02/01/2001	Masahiko Yamada	Q61215	3394

7590 09/12/2006

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EXAMINER

SELBY, GEVELL V

ART UNIT PAPER NUMBER

2622

DATE MAILED: 09/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/774,706

Applicant(s)

YAMADA, MASAHIKO

Examiner

Gevell Selby

Art Unit

2622

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 21 August 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 5 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: 10-20.
Claim(s) rejected: 1,2,4-6,8,9,21 and 22.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.

Continuation of 11. does NOT place the application in condition for allowance because: Response to Arguments

1. Applicant's arguments filed 8/21/06 have been fully considered but they are not persuasive. The applicant submits the prior art does not disclose the following limitations of the claimed invention:

- 1) said method comprising, when storing or transferring a second for storage or transfer which has a second resolution for storage or transfer differing from a reference resolution, the steps of:
correcting a reference image-processing parameter set according to a reference resolution image having said reference resolution, based on a difference between said reference resolution and said second resolution, so that it becomes a second parameter corresponding to said and second image, as stated in claims 1,4,5, and 9;
- 2) storing or transferring information on a reference image-processing parameter set, as claimed in claim 4;
- 3) parameter correction means for correcting a reference image-processing parameter set according to a reference resolution image having a reference resolution, based on a difference between said reference resolution and a second resolution for storage or transfer differing from said reference resolution, so that it becomes a second parameter corresponding to a second image for storage or transfer which has said second resolution, as claimed in claim 5;
- 4) means for storing or transferring information on a reference image-processing parameter set according to a reference resolution image having a reference resolution and information of said reference resolution, along with a second image for storage or transfer which has a second resolution for storage or transfer differing from said reference resolution, as claimed in claim 8. The Examiner respectfully disagrees.

Examiner's Reply:

Re claims 1,4, 5, and 9) The Nonoshita reference discloses storing information on a reference image processing parameter, wherein the processing parameter is $C + C1 + C2$ wherein $C1 + C2$ is information on encoded difference data for converting from 400dpi image to 100 dpi reference image and C is the data of the lower resolution or the reference resolution (see column 6, lines 12-20 and figure 8). The 12.5 dpi low resolution image uses the parameter encoded data $C1 - C5$ to convert to the higher resolution 100 dpi image (see column 6, lines 38-55).

Re claim 4) The Nonoshita reference discloses storing information on a reference image processing parameter, wherein the processing parameter is $C + C1 + C2$ wherein $C1 + C2$ is information on encoded difference data for converting from 400dpi image to 100 dpi reference image and C is the data of the reference resolution (see column 6, lines 8-38). The encoded data parameters $C1 + C2 + C3 + C4 + C5 + F$ are stored in the disk or memory 2 to reduce from the 400 DPI resolution image to the 12.5 resolution image (see column 6, lines 29-42).

Re claim 5) The Nonoshita reference discloses a parameter correction means (see figure 1, element 8: compression/expansion circuit) for correcting a reference image-processing parameter ($C + C1 + C2$) set according to a reference resolution image having a reference resolution (100 dpi), based on a difference ($C3 + C4 + C5$) between said reference resolution (100 dpi) and a second resolution (12.5 dpi) for storage or transfer differing from said reference resolution, so that it becomes a second parameter ($C1 + C2 + C3 + C4 + C5 + F$) corresponding to a second image for storage or transfer which has said second resolution (see column 4, lines 21-29 and column 6, lines 8-42: The compression/expansion circuit uses the encoded difference data to covert between the reference image of 100 dpi and the second image of 12.5 dpi and image and encoded data parameters are saved in the memory 2)

Re claim 8) The Nonoshita reference discloses means for storing (see figure 1, element 2: main memory) or transferring information ($C1 + C2$) on a reference image-processing parameter set ($C + C1 + C2$) according to a reference resolution image having a reference resolution (100 dpi) and information of said reference resolution (C), along with a second image for storage or transfer which has a second resolution (12.5 dpi) for storage or transfer differing from said reference resolution (see column 6, lines 11-23 and 38-57: the reference image of 100 dpi and the image of 12.5 dpi is saved in the main memory 2 along with information on the images and is transferred from the memory, converted and displayed).



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